

# **EXHIBIT B**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
TERRE HAUTE DIVISION

DEPAUW UNIVERSITY, )  
Plaintiff, )  
v. )  
HENNESSEE GROUP LLC, )  
CHARLES GRADANTE, and )  
E. LEE HENNESSEE, )  
Defendants. )  
CASE NO: 2:05-cv-0249-RLY-WGH

## **DECLARATION OF RICHARD SPELLER**

Richard Speller states:

1. I am Vice President of Finance and Administration for DePauw University ("DePauw" or "the University"), the plaintiff in the above-titled case. I have held that position since August 2000. I have personal knowledge of the facts stated in this Declaration and am competent to make this Declaration.

2. DePauw maintains a computer system on its campus in Greencastle, Indiana, by which members of the faculty and staff send and receive e-mail related to the business of the University. This has been true throughout my tenure as Vice President of Finance and Administration.

3. In general, each user of the system has an e-mail address consisting of his or her first initial (or, as in my case, the initial of a nickname), last name, and the suffix "@depauw.edu." For example, my e-mail address is `dssteller@depauw.edu`.

4. When someone sends an e-mail message to a recipient with a "depauw.edu" address, the e-mail is routed to, and resides on, a computer server on the University's campus in Greencastle, Indiana. When the recipient accesses that e-mail, whether from a computer on DePauw's campus or from some other location by means of the University's remote-access capability, the recipient connects electronically to the on-campus server on which the e-mail is stored. The recipient's computer allows the recipient to retrieve and read the information stored on the on-campus server.

I declare under penalty of perjury that the foregoing is true and correct. Executed on  
January 10, 2006.

Richard Speller  
Richard Speller